IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO. 540 OF 2004

ALONGWITH

NOTICE OF MOTION NO. 3598 OF 2004
IN
ARBITRATION PETITION NO. 540 OF 2004

M/s. Thakkar Warehousing Agency ..Petitioner.
v/s.
M/s. Maharashtra Small
Scale Industries Development Corp. ..Respondent.

Mr. Pankaj Kawli, i/b. Ms. U.M. Jhaveri, adv for the Petitioner.

Mr. M.P.S. Rao, i/b. A.C. Mahimkar, adv for the Respondent.

CORAM: S.U. KAMDAR, J.

DATE : 14TH DECEMBER, 2004.

P.C.:

1. The learned counsel for the respondent states that they will not dispossess the petitioner from the actual physical possession of the warehouse premises. The learned counsel for the petitioner states that within one week from today they will invoke the

arbitration agreement. It is made clear that on failure to do so, the interim stay granted to stand vacated. This order is passed without prejudice to the rights and contentions of the parties on merits. The petition is disposed accordingly with no order as to costs.

2. In view of the order passed thereof, the learned counsel for the petitioner seeks leave to withdraw the Notice of Motion. Motion allowed to be withdrawn with no order as to costs.

SD/-

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